

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

<p><b>FUSION ELITE ALL STARS</b>, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p><b>VARSITY BRANDS, LLC</b>, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02600-SHL-tmp</p> <p><b>JURY TRIAL DEMANDED</b></p>
<p><b>JONES</b>, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p><b>BAIN CAPITAL PRIVATE EQUITY</b>, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-02892-SHL-tmp</p> <p><b>JURY TRIAL DEMANDED</b></p>
<p><b>AMERICAN SPIRIT AND CHEER ESSENTIALS, INC.</b>, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p><b>VARSITY BRANDS, LLC</b>, et al,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:20-cv-2782-SHL-tmp</p> <p><b>JURY TRIAL DEMANDED</b></p>

**PLAINTIFFS' MOTION FOR LEAVE TO FILE REPLY MEMORANDUM IN  
SUPPORT OF PLAINTIFFS' JOINT MOTION TO FACILITATE COORDINATION OF  
DEPOSITIONS IN THE RELATED ACTIONS**

Plaintiffs Fusion Elite All Stars, Spirit Factor LLC d/b/a Fuel Athletics, Stars and Stripes Gymnastics Academy Inc. d/b/a Stars and Stripes Kids Activity Center, Kathryn Anne Radek, Lauren Hayes, and Janine Cherasaro (collectively, "*Fusion Elite* Plaintiffs"); Plaintiffs Jessica

Jones, Michelle Velotta, and Christina Lorenzen (collectively, “*Jones* Plaintiffs”); and Plaintiffs American Spirit and Cheer Essentials, Inc., Rockstar Championships, LLC, Jeff & Craig Cheer, LLC, d/b/a Jeff and Craig Camps, and Ashley Haygood (collectively, “*American Spirit* Plaintiffs”) respectfully move the Court, pursuant to Local Rules 7.2(c), for leave to file a reply memorandum (“Reply”) in support of their Joint Motion to Facilitate Coordination of Depositions (“Joint Motion”).

1. On October 19, 2021, Plaintiffs filed their Joint Motion, which included a memorandum in support totaling 11 pages in accordance with Local Rule 7.2(e). Plaintiffs also submitted 4 exhibits in support of the Motion.

2. On November 2, 2011 Defendants Varsity Brands, LLC; Varsity Spirit, LLC; Varsity Spirit Fashions & Supplies, LLC; Jeff Webb; Charlesbank Capital Partners LLC; Bain Capital Private Equity; U.S. All Star Federation, Inc.; and USA Federation for Sport Cheering (collectively, “Defendants”) submitted their Response to Plaintiffs’ Joint Motion totaling 6 pages. (Dkt. 159.)

3. Defendants’ Response raises issues that require a reply, including misunderstandings regarding the scope of the relief Plaintiffs seek, including which witnesses would be subject to extended time under Plaintiffs’ Motion, as well as the nature of the various allegations raised in the three separate actions brought by the *Fusion Elite*, *Jones*, and *American Spirit* Plaintiffs.

For these reasons, Plaintiffs respectfully request leave to file their Reply. Plaintiffs make this timely request within 7 days of service of Defendants’ Response. Defendants oppose the relief sought by Plaintiffs.

Dated: November 9, 2021

Respectfully submitted,

By: /s/ Katherine Van Dyck

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**CERTIFICATE OF GOOD FAITH**

Consistent with Local Rule 26(b)(1) and 7.2(a)(1).01(b)(3), counsel for Plaintiffs, Katherine Van Dyck and Victoria Sims, conferred with counsel for Defendants, and Defendants oppose the relief requested in this Motion.

/s/ Katherine Van Dyck

Katherine Van Dyck

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on November 9, 2021, the foregoing was served via ECF processing upon the following:

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